

As the Executive have thought proper to keep the people of the Colony in ignorance of the extent of the deficit in the last financial year, may we not with justice, assume that it is possible that up to the present time the Lords of the Treasury have not received a full statement of last year's accounts; if their Lordships have been satisfied, what possible reason could there be for keeping the public in ignorance. We cannot assume that the Executive have any studied intention of passing a slight upon the taxpayers, therefore we must suppose that a reason exists for reticence. If there is a reason that either some harm, or some danger, to some animate or inanimate thing must be apprehended as likely to occur, from the knowledge of the extent of the evil; one other explanation might be given, namely, that from press of business, or from some other cause, the proper accounts had been neglected to be made out, and hence the want of information both here and in England. This, however, would be neglect which, with the number of Heads of Departments and their efficient staffs of clerks, could hardly occur otherwise than of premeditation; but premeditated neglect, or want of diligence cannot be charged against the business it would be to prepare accounts both for transmission to England and for publication here. It is best however for all reasons, that attention to these matters should be public. Let the people of the Colony look to their balance sheet, we must not rely in these matters, as we have learned from past experience, upon the Executive, neither ought we to look to the Colonial Office, nor to the Lords of the Treasury, nor to the Bondholders, to do that which it is the duty and privilege of the people of the Colony to do. It must be steadily borne in mind, that any unsoundness in our accounts may retard the final settlement of Confederation. Let us not be in the humiliating position of being obliged to admit that we have been kept in ignorance of our financial position, when we ought to be discussing terms of our admission into the Dominion. We are on the eve of a great movement, let us not slumber whilst there is work to be done. The people of British Columbia must bear in mind that they themselves are to blame for one-half of the evil that exists in our system of Government. There is always power in the hands of the people, if they know how to use it; a thorough and united determination amongst the people to have right, alone, will accomplish much. Let the people look to it then and set their house in order. If a wise householder or landed proprietor has reason to feel uncomfortable about lavish expenditure in his household, whilst rents are not coming in as they ought to do, does he not closely investigate the accounts of his stewards, applying remedies where they are necessary; careful of the interest of his family and himself, rather than of keeping up appearances, and allowing his stewards to indulge in luxuries which of right do not belong to them. So it behoves the people of this Colony to act, questioning minutely where doubt is suffered to linger, and subjecting all financial matters over which the slightest shadow of secrecy, mystery, or obscurity is sought to be thrown, to the very closest scrutiny. Especially would we draw the attention of those who attend the Convention at Yale, to the necessity of adopting measures which will show the Executive that the people are in earnest in intending to carry out their ideas of what is best for the Colony. Let them consider also that the more completely the house is set in order now, the less time will there be wasted when the change takes place, not forgetting in their eagerness to settle the main question, that every step taken towards thoroughly reforming our present system of Government puts an additional stone in the solid foundation of Confederacy. Let the weakness of the Government be thoroughly exposed, and let the voice of the people be heard declaring that the time for weakness and hesitation has passed away, and that reticence and neglect will no longer be tolerated.

Fred Payne has removed his Cheap Shaving Shop to the opposite side of Johnson street, just above the Miner's Saloon.

Europe.
LONDON, Aug 17—Baron Von Ledebur recently appointed minister of Austria to Washington and member of Legation, sailed for the United States on Saturday, by the steamer Cuba.
BERLIN, Aug 17—The yacht Germania which left Bergen, Norway, on the exploring expedition to the North Pole, was seen on 23rd June in lat. 47.10, she was steaming due north; the sea was clear of ice.
CONSTANTINOPLE, Aug 17—Admiral Farragut accompanied by Mr Morris, Minister of the United States, had an interview with the Sultan last week. After an interchange of compliments and good wishes, his Majesty informed the Admiral that the flagship Franklin would be permitted to pass through the Dardanelles to Constantinople, should the Admiral so desire. Gen Ignatoff, Russian ambassador at Constantinople, entertained Admiral Farragut and the officers of his fleet at a grand banquet given at the Russian Legation.
LONDON, Aug 17—The hon Reverdy Johnson, American Minister, arrived in this city to-day from Southampton.
LONDON, Aug 17, midnight—At a great meeting of the Tory party at the Crystal Palace this evening, resolutions were adopted declaring the determination to uphold the Church and Constitution.

California.
SAN FRANCISCO, Aug 19—The steamer Constitution has arrived from Panama. Gold market opened to-day 145½ closed same. Legal tenders 69@70 market unsettled.
To-day's New York telegram quotes California wheat \$2 75@2 90; flour, \$10@12 75 Wool, 18 to 35; for spring hides 20½ for dry Cal. Liverpool wheat quotations 12s 6d, decline of 2d.
Flour—We quote city prices, superfine, \$5 25@5 50; extra, \$6 25@6 50.

Washington Territory.
SEATTLE, W. T., Aug. 21—The steamer Resolute, owned by G. A. Meigs, of Port Madison, burst her boiler yesterday. The Captain's leg was broken, six men killed and one man very much hurt.

TELEGRAPHIC DISPATCHES.
Mexico.
NEW YORK, Aug 11—Vera Cruz dates are to August 6th. The whole State is in rebellion, and as the rebels are men of influence, it is thought the castle of San Juan D'Ulloa will be attacked.
Alatorra has been defeated by Negrete. The insurrection has been extending quickly and has held its ground firmly.
Priette is at Matamoros and has pronounced in favor of Ortega. Other leaders had followed his example, and were joined by the troops stationed at Alaxelopen and Alvarado; both of these places were hitherto in favor of Juarez.
The city of Vera Cruz was left without sufficient force to repel the attack which was momentarily feared. It was expected that the first place that would be attacked would be the castle where there are many prisoners, among them Generals Escobedo and Castillo. The latter is one of the best engineers in Mexico. The former was lately General of division.

West Indies.
NEW YORK, Aug 13—The revolution in Hayti continues. Salnave is growing more and more popular daily, and the wife of Souleau lately declared in his favor.
In Jamaica trouble had broken out at Nassau. The troops were sent there.

California.
SAN FRANCISCO, Aug 10—Next Saturday is a day of rejoicing among the French people, being the fête day set apart by order of Napoleon III.
Last evening Antonio Jose was wounded in the back by a pistol shot in the hands of a soldier named Joe Whitman, who was trying to arrest a deserter. Jose's wounds are serious and may prove fatal. Whitman was discharged.
Capt. Cooper, agent of the Stockton line, was seriously injured Saturday p.m., by being struck upon the head by a piece of falling iron.
August Jonson was found dead in his room on Liedesdorff street to-day.
There was a slight shock of an earthquake about 10 o'clock last night.
SAN FRANCISCO, Aug 15—Important instructions have just been received from the Treasury Department at Washington, with reference to the cancellation of export and other Custom House bonds. It is imperatively ordered that all bonds must be cancelled within twenty days from maturity, and no extension of time can be granted under any circumstances by the Collector.

LADIES if you are afflicted with lassitude if, on rising in the morning, you feel unfreshed, with a bad taste in the mouth; a disgust for food; a constant desire to rest, it is time something should be done to stop the growing evil. We know of no preparation more highly adapted to all afflictions of this description than
HOSTETTER'S STOMACH BITTERS.
For mothers nursing this great tonic should always be taken, especially when the mother's nourishment is inadequate to the demands of the child, consequently her strength must yield, and here it is where a tonic, such as HOSTETTER'S STOMACH BITTERS, is needed to impart temporary
STRENGTH AND VIGOR
to the whole system. Ladies should by all means try this remedy, and before so doing, ask your physician, who, if he is acquainted with its virtues, will recommend its use in all cases. As a
MEDICAL AGENT
it has no equal, while its pleasing flavor and healthful effects have made it a general favorite. It is free from all properties calculated to impair the system, and its operations are at once mild, soothing and efficient. All who have used the Bitters
ATTTEST ITS VIRTUES
and commend it to use.
If PEOPLE WHO SUFFER from dull stupidity that meets us everywhere in spring, and too often in all seasons of the year, knew how quick it could be cured by taking AVER'S SARSAPARILLA to purge the bile from their systems, we should have better neighbors as well as clearer heads to deal with.

New Advertisements.
YALE CONVENTION.
THE CONFEDERATE LEAGUE PROPOSE holding at Yale, on Monday, 14th September, 1868, a Convention of delegates, for the purpose of accelerating the admission of this Colony into the Dominion of Canada, upon equitable and beneficial terms; and, also, to devise means to secure representation to this Colony with Responsible Government for this Colony; and to take such other steps as the Convention may deem proper for the purpose of securing the admission of this Colony into the Dominion of Canada. The inhabitants of the respective Districts of the Colony are invited to elect delegates without delay to represent their views in the above Convention.
By Order of the Executive Committee,
ROBERT BEAVEN,
Secretary.
Morning News, British Columbian, B. C. Examiner and Sentinel, please copy. au21

NOTICE.
THE GROUSE CREEK BED-ROCK FLUME CO., Limited, have this day declared a dividend of \$100 per share, payable at the office of the Company at P. M. Becken, Auction Store, Wharf street, shareholders will please call and get their money.
P. M. BECKEN,
au21 Grouse Creek Bed Rock Flume Co., Limited.

JOHN WEILER,
FORT STREET, NEAR BROAD,
UPHOLSTERER
AND
Paperhanger,
Has on hand and offers for Sale
WALL PAPER,
(Long English Rolls)
Lounges, Spring, Hair, Wool, Palm and Straw Mattresses, Brass and Mahogany Bedsteads, Cornices, Window Blinds and other Upholstery Goods;
...ALSO...
All Sorts of Upholstery done, such as
Repairing Spring Mattresses and Lounges, Sewing and Laying Carpets, Fixing Curtains and Blinds, Hanging Wall Paper, &c., &c.,
AT PRICES TO SUIT THE TIMES.
au20 JOHN WEILER.

Bk SPIRIT OF THE AGE, from London
NEITHER THE CAPTAIN NOR THE
undersigned Agents of the above vessel will be responsible for any debts contracted by the crew.
au20 SPROAT & CO.

DISSOLUTION OF COPARTNERSHIP.
THE PARTNERSHIP HERETOFORE existing between C. Dodero and P. Manetta, Wholesale and Retail Dealers, at Cameron, William Creek, B. C., has been dissolved by mutual consent. The business will in future be carried on by C. Dodero, who has removed from Cameron to Barkerville.
C. DODERO, au20
Barkerville, Aug. 11th, 1868.

DISSOLUTION OF PARTNERSHIP.
THE PARTNERSHIP HERETOFORE existing between Joseph L. Smith and James G. Smith, in the business at Barkerville, known as the "BARKERVILLE HOTEL," is dissolved by mutual consent. The debts for or against the partnership will be paid and received by Joseph L. Smith.
(Signed) JOSEPH L. SMITH,
JAMES G. SMITH.
Witness—Fred. Wm. Foster.
Clinton, B. C., Aug. 10, 1868.
The business of the Clinton Hotel will be carried on as formerly, by
au20 JOSEPH L. SMITH.

WANTED IMMEDIATELY.
ABLE AND ORDINARY SEAMEN
for the ship "The Lord Nelson," bound to China. Can accommodate from 30 to 40 Chinese passengers.
Apply to
JER. NAUPE,
Shipping Agent,
Near the Police Office.
au19

THE CALIFORNIA, OREGON AND
Mexico Steamship Company's Steamer
ACTIVE,
R. S. FLOYD, Commander,
Will sail for Portland, from Broadrick's Wharf, on SATURDAY MORNING, Aug. 22nd.
For Freight or Passage apply to
W. T. WELCHER, Agent,
Wharf street.
N.B.—Any passengers found on board after the steamer leaves the wharf, who have not tickets, will be landed on the coast.
au19

For San Francisco Direct
THE FINE BARK "AVA,"
Captain HAMILTON
Will sail for San Francisco direct on MONDAY, August 24th.
For Rates of Freight or Passage apply to
J. ROBERTSON STEWART,
Wharf street.
Victoria, Aug. 18, 1868. au19

In the Supreme Court of Civil Justice of
Vancouver Island, B. C.
IN BANKRUPTCY.
In the matter of JAMES WILSON, a Bankrupt.
HIS HONOR CHIEF JUSTICE JOSEPH NEEDHAM has appointed Wednesday, the 26th August, inst., at 11 o'clock in the forenoon, at the Court House, James Bay, Victoria, for the Second Examination of the above-named Bankrupt.
Dated 12th August, 1868.
ROBERT BISHOP,
Solicitor to the Petitioner.
au10

A CARD.
I BEG TO ANNOUNCE TO MY FRIENDS and the public that I have this day disposed of my business, on Government street, to Mr A. B. Gray, and would be extremely obliged for him a continuance of the liberal patronage hitherto so kindly accorded to me.
F. MITCHELL,
Jr
Victoria, July 26th, 1868.

New Advertisements.
Hardware, Cutlery & Platedware, &c.
SELLING OFF AT COST PRICE AT
BIRMINGHAM HOUSE,
FORT STREET.
The Proprietors being about to relinquish the Hardware Trade, offer for Sale at COST PRICE, the Valuable
Stock of the above Establishment,
Consisting of
Hollow-ware, Cutlery, Platedware, House Furnishing Goods, such as Fenders, Coal Scuttles, Toilet Sets, Lamps, &c.,
And a General Assortment of
Shelf Hardware & Agricultural Implements.
Parties Furnishing should repair to this Establishment forthwith.
au13 2w

Sproat & Co.
OFFER
FOR SALE
The undermentioned
GOODS!
Ex Spirit of the Age,
FROM LONDON
Liquors, &c.
ALE—Bass' in pints and quarts
McEwan's Edinburgh, in pts & qts
Allsopp's, in pts and qts
BRANDY—Hennessy's Pale, in b/lk & cs
Martell's do do
J. Robin & Co's do do
RUM—Fine Old Jamaica, in puncheons
WHISKEY—Camacho Fine Malt, in bulk and case
GIN—Geneva, in Green and Red cases
OLD TOM—Swaine, Boord & Co's, in cs
GINGER BRANDY—do
ORANGE BITTERS—do
CHERRY CORDIAL—Herring's do
SHERRY—Ronaldson's, in bulk & case, different qualities
PORT—Ronaldson's, in bulk and case, do
Hooper's, in bulk
CHAMPAGNE—Cluquot's, in quarts
A. Collins' in pints and quarts

Groceries, &c.
SOAP—Very sup. Pale Yellow, in 56lb bxs
Flat Bar, Yellow 18 do
Harp do 18 do
Double Brown, Pale 28 do
Blue Marbled 28 do
Marine do 28 do
London and Best London 56 do
VINEGAR—No 24, in bulk
Amber, in case
MIXED PICKLES—White Onions, Bottled Fruits
CHICORY POWDER, Homeo Cocoon
MUSTARD, Arrowroot Chocolate
CURRENANTS—In Half Barrels
CANDLES—Hale's British Sperm, in 25lb boxes
CHEESE
HAMS
Sundries
PAINTER'S COLORS—White Lead, Nos 1 & 2, in 28lb kegs
Black Paint, do
Yellow do do
Green do do
Red do do
BOILED LINSEED OIL—In drums and casks
PIG IRON
BURLAPS, Bagging, Turkish Towels, Bunting
WINE COCKS
FLOOR CLOTH. au20

WANTED
THE UNDERSIGNED NOT HAVING time fully occupied wishes for employment as Clerk, Book keeper, Collector, &c. A permanent situation preferred.
C. A. BAYLEY,
Broad street
au10

DR BIRGE
Of No. 305 Montgomery street, San Francisco.
Mechanical and Surgical Dentist,
WHO FOR FIFTEEN YEARS HAS been actively engaged in his Profession, will be found at the
ST. GEORGE HOTEL,
FOR ABOUT TWO WEEKS.
Early application is respectfully solicited. Care and Skill will be bestowed on every case submitted to his judgment.
By permission he has satisfaction in referring to the following gentlemen:—Dr. Dickson, Leith Harriot, Wells, Fargo & Co., and Dr. G. W. Cool, Dentist. au7

FOR SALE,
A FEW TONS OF NEW, RIPE POTATOES, good for shipping. Apply to
J. B. SERE,
At the Richmond.
au6

Biscuit, Crackers
AND
PILOT BREAD.
MANUFACTURED AT THE CRAIG-
FLOWER BAKERY, by K. McKENZIE.
For Sale in Lots to Suit.
Apply to
THOS. LEIT STAHLSCHMILT,
June 11th, 1868. au12 6m 1s

HARDWARE BUSINESS
FOR SALE.
FOR PRIVATE SALE,
THE BUILDINGS, LEASE, FIXTURES and STOCK of the Business known as
BIRMINGHAM HOUSE,
Fort Street
To an enterprising man this affords an excellent opportunity for commencing business, the stock being well assorted and needing very little replenishing.
Apply to
FINDLAY & DURHAM,
au4 Wharf street.

New Advertisements:
"Spirit of the Age,"
"Princess Royal,"
AND
"Prince Victor."
JOHN WILKIE & CO.
OFFER
FOR SALE
THE FOLLOWING
GOODS,
To Arrive per above Vessels,
Now shortly due here from London.
COATS—Tweed, Doeskin, Beaver and Black Cloth, in all styles: Invarness Wrappers, Waterproof Coats, &c.
TROUSERS—Cassimere, Tweed, Doeskin, Witney, Beaver, Moleskin, Corduroy, Duck, Dungaree, &c.—a great variety.
VESTS—Fancy Silk and Wool, Black Cloth, Tweed, Doeskin, &c.
BOYS' CLOTHING—A Large Assortment.
OVERSHIRTS—Blue Pilot, Tweed, Grey and Blue Sergo &c., Cardigan Jackets.
CRIMEAN SHIRTS, with Collars—A Large Assortment.
DRAWERS and UNDERSHIRTS, in Flannel, Lamb's Wool, Merino and Cotton.
MENS' SOCKS—Scotch Knit, Lamb's Wool, Merino and Cotton—Plain and Fancy.
SHIRTS—White Long Cloth and Fancy Bagging Shirts.
HATS and CAPS—Soft Felt Hats, in all qualities; Beaver Plush Hats, Navy Caps, &c.
HANDKERCHIEFS, &c. — Bandana, White Cambric and Printed Cotton Handkerchiefs, Black Silk Handkerchiefs, Silk Ties, Woollen Scarfs, Linen and Paper Collars, Woollen Gloves Braces, &c., &c.
DRY GOODS—Cotton Prints, Winseys, Tartans, Coburgs, Woollen Shawls, White and Grey Calicos, White and Colored Saxony Flannels, Baizes, Roll Cambrics, Selicias, Diapers, Turkish Towels, Ribbons, Cotton & Merino Hose, Silk and Cotton Umbrellas, Fancy Bugle and other Trimmings, Linen Napkins, Bed-Tick, Linen Threads, &c., &c.
HABERDASHERY—A Complete Assortment.
ENGLISH BROGANS—A Large Lot of Superior qualities in American Shapes.
BOOTS and SHOES—English Rubber Boots and Shoes.
ENGLISH SOAP, CANDLES, &c.
JOHN WILKIE & CO.,
au1 2m

THE BRITISH COLONIST.
Saturday Morning, August 22, 1868.
Shipping Intelligence.
PORT OF VICTORIA, BRITISH COLUMBIA.

ENTERED
Aug 20—S.M. Enterprise, Swanson, New Westminster
S.M. Matilda, Barlow, San Juan
Aug 21—S.M. Active, Floy, Nanaimo
CLEARED.
Aug 20—S.M. Enterprise, Swanson, New Westminster
S.M. Matilda, Barlow, San Juan
S.M. Active, Floy, Astoria
S.M. Matilda, Wharton, Burrard Inlet

RECIPROCITY.—The question of the admission of British Columbia into the treaty of reciprocity, proposed by Mr. Beaman, is not being entirely overlooked by those, who like ourselves, are interested in the matter. Commenting upon Mr. Beaman's proposed legislation on the subject, the St. Paul's, Minnesota Press says:—"It is probably anticipated that the jurisdiction of Canada will be extended westward at no distant day; otherwise we should earnestly insist that both the propositions of Mr. Beaman's should be amended in their territorial scope. Whatever arrangement on this subject is good policy east of Lake Superior, should be made contentious with the whole northern frontier. If the Northwest Territory and British Columbia were within the jurisdiction of Canada, the operation of the bill would be proportionately enlarged; but there is some uncertainty on this subject, which calls for an amendment to the first section of the bill. Of course, this legislation may be confined to Canada and the Eastern Provinces, with the expectation that our relations to Northwest British America shall be the subject of a direct and important negotiation with Great Britain. If so—and we are quite willing that it shall be so—we waive our objection to the present measure." It would do no harm if the forthcoming Convention at Yale make this a special question at their session. The Home Government certainly ought to be requested by our people to insist upon the admission of the Northwest Territory and British Columbia, into the treaty, as a condition of its being granted with that of Canada. By urging this point we may benefit by present opportunities; as they may not exist again in our favor to the same extent for years.

FIRE.—On Thursday morning, about 4 o'clock, the barn belonging to Mr. Bailey, of the Royal Oak, Saanich Road, was observed to be on fire. From the barn being full of this season's hay at the time, nothing could be done to prevent the total destruction of the building. The loss is estimated at \$2,000. The fire is pretty well known to be the work of an incendiary, and the case will probably be before the Police court to-day.

LONDON AND PARIS.—The city of Paris contains about 2,000,000 of inhabitants, living in 50,000 houses. London has 3,000,000 of people living in 360,000 houses. The proportion of people to a house, being five times larger in Paris than in the English Capital. The London average is eight, and the Paris average, forty to each dwelling. After what we continually hear about the dense crowding of the London populace, few persons will be prepared to learn, that it is five times less than Paris.

MINING.—We are glad to hear that the Mining Laws of the Colony are undergoing a searching revision in order to remove whatever defects they may contain. One great improvement suggested, is to make gold, silver, copper, coal, and all such mines similar in their provisions; to remove all obnoxious restrictions and conditions in working them; and to make the tenure such that all classes may apply their means, enterprise, and industry, successfully in their development.

EXPLOSION.—News was received in town last night by telegraph, of a disastrous loss of life by a steamboat explosion. The Recluse, a small steamer used at Meigs Mill, Pt. Ludlow, for towing and other general purposes, exploded her boiler yesterday, by which six men were killed, one seriously injured, and the Captain's leg broken. The extent of injury to the vessel was not given.

MOUNT BAKER.—Mr. Coleman started from the American side, for Mount Baker, on the 7th inst. Mr. Thomas Stratton, and Mr. Tennant have joined the party; Mr. Tennant was with Mr. Coleman on the previous evening, two years ago. Mr. Eldridge traveled thirty miles with them and then returned. This is probably the last news we shall have of the party before its return.

NOVELTY.—The city of Paris is looking at a theatre which may be made large or small at pleasure. The walls are moveable, and shut together like an opera glass. One advantage of this novel theatre will be, that the actors, if they choose, can always perform to a full house.

DROWNED.—Wm. McCrackin, a respectable young Canadian, was drowned on Thursday at Moody's mill, Burrard Inlet, by falling off a log where the timber is collected in the water for the Mill. The deceased was well known in this city, and shortly it is said, was to be married.

THE STEAMER ACTIVE arrived from Nanaimo yesterday at mid-day, but brings no news later than the date of the Douglas. The Flying Eagle, as reported, was expected to leave on Monday morning for San Francisco. The Active left this morning, for Portland, with two hundred tons of coal.

WE call attention to the fine stock of custom-made clothing and staple goods to be sold at the saleroom of J. P. Davies & Co., Wharf street, on Monday next; also the balance of J. Brunn & Co's stock, the whole will be sold on a liberal credit.

THE steamer Enterprise left yesterday morning for New Westminster. She took up about 80 tons of freight, and a number of passengers. Mrs. Seymour, Mrs. Hayman, Mrs. Woods and family, and Dr. Black, were amongst the latter.

CRICKET MATCH.—The return match will take place on Beacon Hill to-day at 11 o'clock, between the married and single.

THE VOLUNTEERS.—We are informed that there will be a meeting of Volunteers at Norris' drug store, Government street, on Tuesday next at half-past seven p.m., at which all who take any interest in the Volunteer question are invited to attend.

THE Free Trade, finished discharging yesterday, and will leave this morning for Port Ludlow. Her freight is delivered in excellent condition.

Supreme Court.
[Before His Lordship Chief Justice Neidham.]

Friday, Aug. 21st, 1868.

Wm. Lyons, appellant vs. Wm. Bowden, respondent.—This was an appeal from a decision of the Stipendiary Magistrate, and came on in the shape of a case stated by the Magistrate for the opinion of the Supreme Court.

Mr. McCright, instructed by Mr. Bishop, appeared for appellant; the Attorney General appeared to support the conviction.

Mr. McCright stated that the two questions for the Court to consider were: 1st. Had the Magistrate the power to award a sentence of six months' imprisonment with hard labor in default of payment of the penalty. 2nd. Was there any evidence of guilty knowledge; this conviction was for an offence against the Naval Discipline Act, of 1866, the 25th Section of which enacts the penalty of a fine of £30 for assisting a seaman unlawfully to absent himself from duty; that this section does not authorize the sentence of hard labor, nor does any other part of the same act. The Magistrate seems to have convicted under the Act of 1866 and has gone back to the Act of 1847 for the penalty. That section 11 of 1847, which awards the penalty is distinctly repealed in the Act of 1866, and it could not be the intention of the Legislature to let the 13th section of the Act of 1847 which points out the method of recovering the penalty fixed by the 11th section of the same Act stand whilst the 11th section was repealed. The learned Counsel read the depositions with the view of showing that there was no evidence of guilty knowledge. His Lordship during the reading of the depositions remarked that the evidence did not appear to have been taken down accurately, and called attention to the necessity of the Clerk to the Magistrate, taking down every word of evidence clearly and distinctly; accused persons were on their trial for offences perhaps charged under particular sections of the Acts, and were entitled to the minutest accuracy.

Mr. McCright contended that the whole of the evidence was perfectly consistent with the innocence of the appellant, and that no suspicion could convict an accused person. The Attorney General in support of the conviction contended that the Magistrate was the judge of the evidence, and that the Court could not review the propriety of the Magistrate's decision upon the facts, and that there was such evidence as a judge of Oyer and Terminer would allow to go to a jury. As regards the sentence of hard labor, that Clause 11, of the Naval Discipline Act, 1847, though repealed by the Act of 1866, was re-enacted in almost the same words, with the same penalty for the same offence, by Section 25 of the same act. That the act of 1866 does not show how the penalty is to be recovered; but Section 18, of the Act of 1847, provides for the deficiency, and this Section was never repealed by any subsequent Act, and consequently is in full force, and the conviction therefore in that respect, good.

With regard to the guilty knowledge, the depositions plainly showed that there was sufficient prima facie evidence of guilty knowledge to warrant a judge in coming to a decision against the accused; considering the Magistrate to be in place of a jury, the rule being that the Court could not interfere with the exercise of the Magistrate's discretion upon the evidence adduced.

His Lordship in giving judgment hoped that nothing which had fallen from him during the progress of the case, or which he might now have occasion to say respecting it, would be taken in any way to reflect the slightest discredit upon the very able Magistrate who had convicted in this case; nothing can be more able than the manner in which substantial justice is meted out by that gentleman. This case coming before me as an appeal, I am compelled to deal with it on the merits. Now, to support the charge against the appellant, there must have been a guilty knowledge; we have therefore to look carefully through the evidence to see whether there is not knowledge. It must be borne in mind that suspicion alone will not amount to evidence or warrant conviction. Now, having given this case and the evidence my most careful consideration, upon the three occasions on which it has been before the court, I can only come to the conclusion that there is no evidence of guilty knowledge; there is no one fact here that is not perfectly consistent with the prisoner's innocence; the price of the boat appears to have been reasonable, and the prisoner does not seem to have had any motive; there does not seem to be any ground for saying that the price was even suspicious. Then, with regard to the character of the purchaser of the boat, he comes in civilians clothes, is not accompanied by any person in uniform; there is no appearance of secrecy, the appellant gives his name upon a card and writes upon it the price he means to take, Lachapelle makes the remark to Lyons about his suspicious subsequent to the sale and departure of the man. Had this occurred before or at the sale instead of after, it would have had an importance which it does not now possess. I have been thus minute on account of the importance of the case, and can come to no other conclusion than that there was no evidence of guilty knowledge; the conviction must therefore be quashed.

With regard to the other points, it will perhaps be useful for me to express an opinion, although I have decided the case upon the first ground; and, strictly speaking, what I am about to add, may be considered as extra-judicial. After the very able assistance which I have received in this

case both from the Attorney General and Mr. McCright, and for which I am very much indebted to both gentlemen, and after giving it my own most careful consideration, I am of opinion that the conviction must be quashed on the ground that there is no power to award hard labor, nor in the first instance imprisonment. Jervis' Act points out the method of recovering the penalty by distress, and imprisonment in default of sufficient distress; I can entertain no doubt that Act 29 and 30 Vic, chap 109 applies to this Colony, it is made applicable to the whole of Her Majesty's dominions, and requires no local statute to make it applicable here, nor can the local ordinance of 1867 nor any other ordinance touch it. It must be understood that no local ordinance can affect any Imperial Statute expressly applying to all Her Majesty's dominions, any such ordinance would be void to the extent to which it is repugnant to such Imperial Act. The 25th section of this Act gives the power to inflict the penalty of £30, but gives no method of recovery, but this Act was passed subsequent to Jervis' Act, which gives the whole machinery, and gives a universal method by which Magistrates should act in such cases, instead of being subjected to the inconvenience and occasional errors arising out of having separate modes in each separate Act. When the Act of 10 and 11 Vic, chap 43, which awards hard labor in default of payment of penalty, was passed, Jervis' Act was not in existence, it was therefore necessary for the mode of recovering the penalty to be stated in the Act, but the mode of recovering the penalty given in section 13 of this Act was auxiliary to clause 11, repealed by the Act of 1866 and fell with it. There is one other point to which it is right to advert. The Act of 1847, apportioned the penalty one-half to the informer and one-half to Greenwich Hospital; but the Act of 1866 applies the penalty in another way, namely, as the Admiralty shall direct. The rule will therefore be absolute; the penalty must of course be returned. Power was reserved for His Lordship to deal with any points which arise out of the decision.

The Sandwich Islands.

Honolulu papers to the 11th July are to Commercial Advertiser:

Late arrivals from Hawaii report no change in the appearance of the volcano. A correspondent in Kau writes, under date of June 15th: No news of any consequence to communicate. We have an occasional shake. At Kapapala, which appears to be over the center of volcanic activity, the shocks average about four a day. The destitute natives in this district are mostly lying around, watching every opportunity to steal what they can, trading off the goods sent to them by the charitably disposed for food, eating the food and waiting for a fresh supply from your city.

The missionary packet Morning Star sailed yesterday at 4 p.m. on a six months' cruise among the Micronesia Islands, intending to visit every mission station, to which she carries supplies. Rev. H. Bingham and wife, and several native missionaries, took passage in her. He is engaged in translating and preparing Micronesian works for the press. The Hawaiian topsail schooner Blossom (formerly the Nabienana), arrived on Thursday from a five months' cruise among the islands west of this group, where she has been collecting a cargo of coconut oil, of which she obtained about 500 barrels. She brought up in irons a Prussian sailor, charged with having committed murder on the island of Jaluit, about 100 miles north of Ebon.

There are rumors of a plan to cut off the missionary packet Morning Star on her return to Micronesia. It is also stated that a British war steamer is cruising in search of Capt. Pease, of the Blossom, who is charged with having been engaged in some outrages on English missionaries, stationed at the Loyalty Islands.

From Butaritari we have good news. On the return of the Hawaiian missionaries, who fled from the island at the time of the murder of three Hawaiian sailors, they found that the King had tabooed the manufacture and use of intoxicating drinks, and that he and his people had become idolaters. They also found that the few scholars whom they had taught to read and write had become teachers, that over 200 had learned to read and that religious services were regularly held by these natives Butaritarians, which the King and all the men attended, but from which the women were tabooed. The cause of this latter regulation has not been learned. The population of the island is about 2,500. The Hawaiian Missionaries found moreover, that their houses and household effects had been preserved untouched, and they found everything as they left it. This certainly is more remarkable than the other fact.

At Ebon, a German named Cabelle, who went from Honolulu, had become converted during a period of unusual religious interest, and was very active in furthering the work of the Missionaries. The native converts, too, are busy making plans to spread the work among the surrounding islands, and the prospects are favorable for its advancement, mainly through their efforts.

HOW A MINING AGENT GOT RICH.—Mark Twain, in a letter to the Chicago Tribune from Nevada, relates the following: "An acquaintance of mine shook hands with me in such a patronising manner yesterday that I make him the text of a paragraph that will serve to illustrate what one may term a state of things." When I first knew this man he hadn't a cent. He did not put on airs then. Now he is a superintendent of one of the great silver mines, and has grown rich. You may not believe that a superintendent can absolutely grow rich in four years on a salary of from ten to twenty thousand dollars a year, but such is really the case. Ordinary superintendents are content to poverty receive a present of a dollar or so for each ton of ore they sell to a millman but my man's ambition soared higher than that. He took lumber belonging to the great corporation that employed him, and built a mill of his own with it. He built that mill below the company's mill too which was wise. Then he took other of the company's lumber and built a string of sluice boxes to his own. After that he worked the company's rock in the company's mill and got \$16 a ton out of it—and turned the money over to the company—which didn't declare a dividend. Then he took the tailings

from the same rock, carried them through his sluice to his little private mill, worked them over again and out of every ton he got \$30; which money was his own of course, and he never gave any of it to the company. Now you can understand how a man can get rich in four years, on twelve thousand dollars a year, when the company furnishes him a dwelling house and horse and carriage free."

HOLLOWAY'S OINTMENT AND PILLS.—Dis-eases of the Bowels.—A remedy, which has been tested and proved in a thousand different ways, capable of eradicating poisonous taints from ulcers and healing them up, merits a trial of its capacity for extracting the internal corruptions from the bowels. On rubbing Holloway's Ointment repeatedly on the abdomen a rash appears, and as it thickens the skin irritability subsides. Acting as a derivative, this unguent draws to the surface, releases the tender intestines from all acid matters, and prevents inflammation, dysentery and piles, from which blistering was the old fashioned, though successful treatment, now from its painfulness fallen into disuse. The discovery of this Ointment having proclaimed a remedy possessing equally derivative, yet perfectly painless powers.

Auction Sales.

J. P. Davies & Co

AUCTIONEERS AND COMMISSION MERCHANTS. Saleroom Fireproof Stone Building, Wharf Street near Yates.

Cash advances made on all consignments.

NOTICE

The Cattle Sale Yard will be opened as a Public Market every SATURDAY, from 7 to 12, noon, for the Sale of such Cattle and Produce as may be offered.

Scale of Charges can be known on application to

J. P. DAVIES & CO., Auctioneers.

Liberal Credit Sale.

MONDAY

J. P. DAVIES & CO.

Have received instructions from

Messrs BRUNN & CO.,

TO SELL,

The Balance of their

STOCK

Monday, Aug. 24th,

AT SALESROOM

Wharf Street,

AT 11 O'CLOCK A.M.,

Business and Frock Coats, Cass,

Suits, Blk and Cass, Pants, Asst. Vests,

White Dress Shirts, Overshirts, Buck

Gloves, Kid and Silk Gloves, Blk and

Drab Hats, J.R. Caps, Uniform Badges,

Browsers, Oakleaf Bands, Tailor's and

Dressmaker's Trimmings, Mens' and

Boys' Caps, &c.

Staple Goods,

EX BARKENTINE FREE TRADE,

From San Francisco,

By Order of Mr A. FRANKEL,

(On account of San Francisco Owners)

CASE 23 25 doz Blue Dem. Overalls

12 do Extra Heavy Jumpers

8 do Canvas Pants

19 25 do Gents' & Boys' White

Shirts

25 do Heavy Hickory Shirts

16 10 do Cord Pants, Asst. Col's

W 30 do Red & White Flannel

Shirts and Drawers

30 do Lamb's Wool Shirts &

Drawers

20 do Merino, Grey & Blue

Socks

American Custom-made

Clothing

COATS—Fine Black Beaver & Frocks,

Sack Suits, Inverness, Capes, Blue

Serge, Over and Black Suits

PANTS—Cadet, Union, French, Cass,

Auction Sales.

AUCTION

SUGARS

"CARGO OF THE BARK AVA,"

J. A. M'CREA

Has received instructions from

MR J. ROBERTSON STEWART

TO SELL

The Cargo of the Bark AVA,

AT SALESROOM

Wharf street;

Tuesday, Aug. 25th,

AT 11 O'CLOCK, A.M.,

On a Liberal Credit.

MARKS

Ingenis, E R C — bbls Peruvian Sugar

Casa Blanca, G R — bgs do Sugar

Quebrada, G R C — bgs do Sugar

Casa Blanca, G R — Loaves White Sugar

Samples of the above can be seen at

the Auctioneer's Store as soon as landed

Terms and Conditions made known on

the Morning of Sale.

ALSO,

90 mats China Rice, to close

1000 lbs Haywood's Choice Island

Cured Bacon

Gunnies Oregon Shoulders

10 doz Corn Brooms

10 cs Ground Coffee

ALSO,

10 cs American Boots

20 doz American Balmorals au22

ALSO,

At same time and place, by order of Messrs

JANION, RHODES & CO.,

1 Large Flue Boiler, 18 feet long, Flue

40 inches, Weight about 5 tons.

Can be seen on Brodrick's Wharf, at foot

of Yates street. au20

PRELIMINARY NOTICE.

TRADE SALE

BY AUCTION

On a Liberal Credit,

Clothing,

Underclothing,

Dry Goods,

Gum Boots, &c.

J. A. M'CREA

Instructed by

Messrs FINDLAY & DURHAM

Will hold a Sale of the above

Tuesday, Aug. 25th,

Immediately after the Sale of the

Sugars.

Full Particulars in to-morrow's issue.

au21

Soap! Soap! Soap

Yardley & Co's

PRIZE MEDAL SOAP

Auction Sales.

Real Estate

By Auction.

MORTGAGEE'S SALE.

P. M. BACKUS,

WILL SELL,

Monday, Aug. 24th,

AT 12 O'CLOCK, NOON,

AT SALESROOM

Wharf Street

By order of the Mortgagee, under power of

sale contained in Mortgage deed of

19th November, 1864.

TOWN LOT 772, situate at the corner of

Fort and Quadra streets.

Also, by Order of the Mortgagee

VICTORIA TOWN LOT, No. 1036

Johnson street, with substantial built house

thereon.

ALSO

LOTS 737 and 738, and Lots 24 and 26

subdivisions of 5 acre Lot No. 13.

TERMS AT SALE.

ALSO

Two Shares in the Spring Ridge Water

Works, Co.

ALSO

Coal Company, No. 1. au22

PRELIMINARY ADVERTISEMENT.

P. M. BACKUS

Has been instructed by

William Charles, Esq.,

To sell all his well-kept and Handsome

Furniture!

AT HIS HOUSE, ON FORT STREET,

In about TWO WEEKS, consisting of

Sofas, Chairs, Centre Tables, Secre-

tary, Lounges, Mirrors, Clocks, Man-

tle Ornaments, Brussels Carpets, Bu-

reans, Wash Stands, Bedsteads, Clock,

ery, Cutlery, Books, Kitchen Furni-

ture, &c., &c.

Particulars in a few days before the sale. au11

\$500 REWARD.

WHEREAS THERE IS REASON TO

believe that the *Fraser* (trailing), situated on the

Old Esquimalt road, belonging to Patrick Stewart, was

maliciously set on fire, a Reward of Five Hundred

Dollars is hereby offered by the undersigned for the ap-

prehension and conviction of the person or persons con-

cerned in the outrage.

SPROAT & CO., Agents Royal Insurance Co.

Store street, Victoria, July 16, 1868. 1917

HOSTETTER'S

CELEBRATED

STOMACH BITTERS!

A PURE AND POWERFUL TONIC

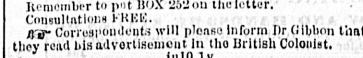
CORRECTIVE AND ALTERNATIVE

Of Wonderful Efficacy in Diseases

OF THE

STOMACH, LIVER AND BOWELS.

Insurance.



JOHN WILKIE & CO.

D. LENEVEU,
JOHN WILKIE,
Assignees.

**In Paris—At Grimault & Co.
45 Rue Richelieu.**

PRINTED AND PUBLISHED Daily by
HIGGINS, LONG & Co., at their Office
No. 51, N. 4th St. Phila. V. L.